

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
ORLANDO DIVISION**

DAVID HARRIS,

Plaintiff,

v.

Case No: 6:21-cv-1382-GKS-LRH

**COMMISSIONER OF SOCIAL
SECURITY,**

Defendant.

ORDER

THIS CAUSE comes before the Court upon Defendant, Commissioner of Social Security's, Unopposed Motion for Entry of Judgment with Remand (Doc. 20). Defendant's Motion specifies that

[u]pon remand, the Appeals Council will direct that a new Administrative Law Judge (ALJ) be assigned and will instruct the ALJ to reevaluate whether Plaintiff's impairments, singly or in combination, meet or medically equal one of the listed impairments in 20 C.F.R, Part 404, Subpart P, Appendix 1; reevaluate Plaintiff's residual functional capacity and the opinion evidence; obtain supplemental evidence from a vocational expert; identify and resolve any apparent conflicts between the vocational expert's testimony and information in the Dictionary of Occupational Titles; offer Plaintiff the opportunity for a new hearing; and take any other action deemed necessary. LOCAL RULE.

(Doc. 20:1). The Court referred the Motion to the United States Magistrate Judge for a report and recommendation (Report and Recommendation).

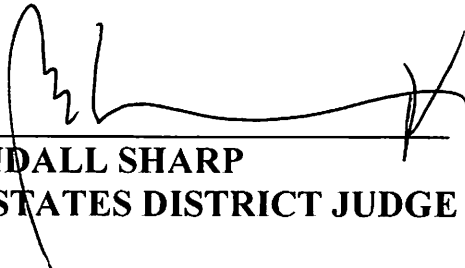
On December 13, 2021, the United States Magistrate Judge issued a Report and Recommendation (Doc. 21), recommending that Defendant's Motion be granted, the Commissioner's decision be reversed and remanded, and judgment be entered for Plaintiff.

After review and consideration of the Report and Recommendation, it is hereby **ORDERED** and **ADJUDGED** as follows:

1. United States Magistrate Judge Leslie R. Hoffman's Report and Recommendation (Doc. 21) is **APPROVED and ADOPTED** and is made part of this Order for all purposes, including appellate review.
2. Defendant's Unopposed Motion for Entry of Judgment with Remand (Doc. 20) is **GRANTED**.
3. The Commissioner's final decision is **REVERSED**, and the action is **REMANDED** to the Commissioner for further proceedings pursuant to sentence four of 42 U.S.C. § 405(g) for the reason stated by the Commissioner.
4. The Clerk of Court is **DIRECTED** to enter Judgment

in favor of Plaintiff, David Harris, and against Defendant Commissioner, and
CLOSE this case.

DONE AND ORDERED at Orlando, Florida, this 27 day of
December, 2021.



G. KENDALL SHARP
SENIOR UNITED STATES DISTRICT JUDGE

Copies to:

Counsel of Record
Unrepresented Parties